

Competition (Composition of Offences) Regulations 2005

Table of Contents

Enacting Formula

1 Citation and commencement

2 Compoundable offences

3 Acceptance of composition of offence

FIRST SCHEDULE

SECOND SCHEDULE Acceptance of Offer of Composition Made by Competition Commission of Singapore

No. S 867

COMPETITION ACT 2004 (ACT 46 OF 2004)

COMPETITION (COMPOSITION OF OFFENCES) REGULATIONS 2005

In exercise of the powers conferred by section 84(2) of the Competition Act 2004, the Competition Commission of Singapore, with the approval of the Minister for Trade and Industry, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Competition (Composition of Offences) Regulations 2005 and shall come into operation on 1st January 2006.

Compoundable offences

2.—(1) The offences under sections 22 (4), 32(2), 65(6), 75(1), 76, 77, 78, 80(2) and

89(2) of the Act may be compounded by the Chief Executive or any officer of the Commission authorized by the Chief Executive in accordance with section 84 of the Act.

(2) The maximum sum for which each such offence may be compounded is set out in the First Schedule.

Acceptance of composition of offence

3.—(1) An offence may be compounded only if the person reasonably suspected of having committed the offence —

- (a) accepts the offer of composition made by the Commission in writing in the form set out in the Second Schedule; and
- (b) pays the composition sum to the Commission,

within 14 days after the offer of composition is made or such longer period as the Commission may specify.

(2) Where the person referred to in paragraph (1) is not an individual, the acceptance of composition shall be made —

- (a) in the case of a body corporate, by an officer of that body corporate;
- (b) in the case of a partnership, by a partner of that partnership; or
- (c) in the case of an unincorporated association (other than a partnership), by an officer of that association or a member of its governing body.

(3) In paragraph (2), “officer” —

- (a) in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body; or
- (b) in relation to an unincorporated association (other than a partnership), means the president, the secretary or any member of the committee of the association and includes persons holding positions analogous to those of president, secretary or member of a committee.

FIRST SCHEDULE

Regulation 2(2)

<i>Compoundable offences under the Act</i>	<i>Maximum composition sum</i>
(1) Section 22 (4)	\$500
(2) Section 32 (2)	\$2,500